

## Message Text

UNCLASSIFIED

PAGE 01 SEOUL 04672 020730Z POSS DUPE  
ACTION EB-08

INFO OCT-01 EA-12 ISO-00 COME-00 L-03 SS-15 SP-02  
NSC-05 /046 W

-----046425 032253Z /73

R 020622Z JUN 78  
FM AMEMBASSY SEOUL  
TO SECSTATE WASHDC 1421

UNCLAS SEOUL 4672

E.O. 11652: N/A  
TAGS: EIND, PFOL, KS  
SUBJECT: RIGHT OF PRIORITY OF PATENT APPLICATIONS IN KOREA

REF: A) SEOUL 3555, ?) STATE 113499, C) SEOUL 4372

1. MOFA TREATIES DIVISION I PROPOSED TO EMBOFF ON JUNE 1  
THAT "TERMINATION CLAUSE" BE INSERTED IN DRAFTS OF NOTES  
(REFTELS (A) AND (B)).

2. IN THE LAST OPERATIVE PARAGRAPH OF THE USG NOTE, THE  
PHRASE "WHICH WILL ENTER INTO FORCE ON THE DATE OF YOUR  
EXCELLENCY'S REPLY AND HAVE EFFECT AS FROM JANUARY 1, 1974,  
THE DATE UPON WHICH THE NEW KORAN PATENT LAW CAME INTO EFFECT"  
WOULD BE REPLACED WITH "WHICH SHALL ENTER INTO FORCE ON THE DATE  
OF YOUR EXCELLENCY'S REPLY WITH RETROACTIVE EFFECT TO JANUARY  
1, 1974 AND SHALL CONTINUE IN FORCE UNTIL ONE YEAR FROM THE DATE  
ON WHICH EITHER GOVERNMENT SHALL HAVE GIVEN TO THE OTHER WRITTEN  
NOTICE OF TERMINATION." THE SAME CHANGE WOULD BE MADE IN THE  
ROK NOTE.

3. MOFA OFFICIALS OBSERVE THAT THE PROPOSED NOTES ARE BASED  
ON THE TREATY OF FRIENDSHIP, COMMERCE, AND NAVIGATION. SINCE  
THAT TREATY HAS A "TERMINATION CLAUSE," THEY FEEL THE NOTES  
SHOULD HAVE ONE AS WELL.

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4. SHOULD U.S.G. FIND TERMINATION CLAUSE ACCEPTABLE, ROKG  
APPROVAL PROCESS WILL PROCEED AS REPORTED REFTTEL C.

5. ACTION REQUESTED: PLEASE INSTRUCT RE ACCEPTABILITY OF  
TERMINATION CLAUSE AS PROPOSED.  
STERN

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NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 jan 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** AGREEMENTS, TEXT, PATENTS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 02 jun 1978  
**Decaption Date:** 01 jan 1960  
**Decaption Note:**  
**Disposition Action:** n/a  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:**  
**Disposition Date:** 01 jan 1960  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1978SEOUL04672  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
**Film Number:** D780233-0389  
**Format:** TEL  
**From:** SEOUL  
**Handling Restrictions:** n/a  
**Image Path:**  
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**Legacy Key:** link1978/newtext/t197806102/aaaadjol.tel  
**Line Count:** 61  
**Litigation Code IDs:**  
**Litigation Codes:**  
**Litigation History:**  
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**Message ID:** 3618777c-c288-dd11-92da-001cc4696bcc  
**Office:** ACTION EB  
**Original Classification:** UNCLASSIFIED  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** n/a  
**Previous Handling Restrictions:** n/a  
**Reference:** 78 SEOUL 3555, 78 STATE 113499, 78 SEOUL 4372  
**Retention:** 0  
**Review Action:** RELEASED, APPROVED  
**Review Content Flags:**  
**Review Date:** 29 mar 2005  
**Review Event:**  
**Review Exemptions:** n/a  
**Review Media Identifier:**  
**Review Release Date:** N/A  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 2142763  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** RIGHT OF PRIORITY OF PATENT APPLICATIONS IN KOREA  
**TAGS:** EIND, BFOL, KS, US  
**To:** STATE  
**Type:** TE  
**vdkgvwkey:** odbc://SAS/SAS.dbo.SAS\_Docs/3618777c-c288-dd11-92da-001cc4696bcc  
**Review Markings:**  
Sheryl P. Walter  
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20 Mar 2014  
**Markings:** Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014